

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

ANTOWN DEWAYNE WILLIAMS,)

Plaintiff,)

V.)

WARDEN CHERYL PRICE,)

Defendant.)

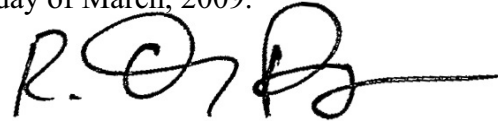
Case No. 7:07-cv-1680-RDP-TMP

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on February 10, 2009, recommending that Defendant's special report be treated as a motion for summary judgment and, as such, that it be granted and this action be dismissed with prejudice. The parties were notified that they may file specific written objections to the report and recommendation within fifteen days. No objections have been filed by either party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that Defendant is entitled to judgment as a matter of law. Accordingly, Defendant's motion for summary judgment is due to be granted and this action is due to be dismissed with prejudice. A Final Judgment will be entered.

DONE and **ORDERED** this 6th day of March, 2009.

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE